



## Roger Andal 48095 267th Street Brandon, SD 57005

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August 15, 1998

MUR 4795

Office of General Counsel Federal Election Commission Washington, D.C. 20463

Dear Sir/Madam:

I am writing to draw your attention to a very serious matter which recently came to light in a news story published by Gannett News Service (see attached). After reading this story, I am concerned that several violations of federal election law may have been committed by the "Friends of Larry Pressler" committee, and I am filing this complaint with the expectation that an investigation and enforcement action will be taken by the Federal Election Commission.

There are four specific areas of complaint which I bring to your attention. Two of the items involve converting campaign funds to the personal use of former U.S. Senator Larry Pressler and/or his wife. A third item involves fraudulant and potentially criminal reports concerning contributions from the Indonesian banking conglomerate known as the Lippo Group. All three charges are very serious and clearly merit investigation.

I am requesting the Commission investigate the following three items:

1. More than \$12,000 has been paid to the mortgage company which holds the note on property owned by Larry and Harriet Pressler. Though the Pressler campaign reported these as "storage payments," there are obvious questions about whether the money was used to pay the debt the Presslers personally own on this property.

After reading the Gannett story, I acquired copies of the Pressler campaign's FEC reports. Perhaps even more disturbing -- and a better illustration of the "personal use" of campaign funds -- is apparent on the Pressler campaign's recently-filed report for the period January 1 - June 30, 1998. As you will note, that report indicates the Pressler campaign paid Larry Pressler \$8,693.60 in January 13, 1998 as a "Long Term Record Storage Fee." This brings the Pressler mortgage subsidy payments to a total of \$20,693.60 within a nine-month time period.

### Documentation provided:

- Copies of FEC reports reflecting \$12,000 in payments from Friends of Larry Pressler campaign to Home Servicing of America, the mortgage servicing arm of Home Savings of America.
- Copy of FEC report from the recent January 1 June 30, 1998

reporting period, reflecting an \$8,693.60 storage payment to Larry Pressler at his home address.

2. More than \$12,000 has been paid to the Internal Revenue Service from the Pressler campaign, aside from the campaign's payroll taxes. Absent another plausible explanation, it would appear these payments may have been used to meet the Presslers' personal federal tax obligations, rather than for legitimate expenses of the campaign.

The Pressler campaign's FEC reports prior to the 1996 election reflect fairly regular federal payroll tax deposits, clearly identifying these disbursements as "Payroll Taxes". The campaign's payroll tax deposits would appear to be within the range one would expect for an employer of this size.

Pressler's FEC report for the first half of 1997, however, shows the campaign made two additional payments directly to the Internal Revenue Service in Philadelphia, Pennsylvania. While the majority of the campaign's tax payments were described as "Payroll Taxes" and were remitted to a depository institution, the following two payments in question are each described as a "Tax Payment" and were paid directly to the IRS:

March	11, 1997	\$12,261.00
April	7, 1997	229.09

TOTAL

\$12,490.09

It seems unlikely the Pressler campaign would have incurred arrearages requiring a large payroll tax payment at that time; indeed, the campaign reports having received two refunds (\$270.66 received 11/18/96 and \$123.77 received 1/26/97) from the federal treasury.

There is nothing in their reported 1997 salary payments which would explain these large payments, except the possibility that campaign funds were used to meet non-campaign tax obligations.

The Pressler campaign's FEC report for the period July 1 - December 31, 1997 shows \$345.89 in paroll tax payments to the Internal Revenue Service in Philadelphia. During this same time frame, the Pressler campaign reports having no salaried employees working for the campaign (Pressler employed several former campaign and Senate staff workers throughout the last half of 1997, but all were hired as "contract laborers" who would be responsible for paying their own tax obligations as self-employed persons).

### Documentation provided:

- Copy of the Pressler campaign's FEC reports for the July 1 December 31, 1996 reporting period, reflecting a refund from the
  IRS in the amounts of \$270.66.
- Copy of the Pressler campaign's FEC reports for the January 1 -

June 30, 1997 reporting period, reflecting a refund from the U.S. Treasury in Philadelphia, Pennsylvania in the amount of \$123.77. Furthermore, from this same report, documentation that the campaign made \$12,490.09 in tax payments to the IRS (in addition to the expected payroll taxes deposits made at appropriate financial institutions).

- Copy of the Pressler campaign's FEC report for the period July 1 December 31, 1997 reflecting payment of \$345.89 in paroll taxes to
  the Internal Revenue Service in Philadelphia at a time when the
  Pressler campaign reported having no salaried employees.
- 3. Shortly before the 1996 election, the Pressler campaign reported returning \$7,500 in contributions from individuals affiliated with the controversial banking conglomerate known as the Lippo Group. However, after the election, each and every one of the allegedly-returned contributions was reported as a "negative disbursement" by the Pressler campaign -- in other words, the Lippo money remained in the Pressler campaign account. It is only reasonable to suggest that one of the following two things happened: a) The Pressler campaign never actually issued the checks they included on their FEC report, or, b) the Lippo contributors made private agreements with the Pressler campaign that they would not cash the checks. Whether this is a case of fraud or conspiracy -- or possibly both -- is an issue only the FEC will be able to decide after a thorough investigation.

### Documentation provided:

Copies of the Pressler campaign's FEC reports from the period July
 1 - December 31, 1993, showing receipt of large donations from the following Lippo donors:

Susan Henes-Dequeljoe and Charles Dequeljoe Joseph and Hylen Sund Felix and Mary Ma David and Christina Yeh Angus Setiawan Tay Xim Tin

- Copies of the Pressler campaign's FEC report for the period October 17 - November 25, 1996 indicating these same contributions had all been refunded to the Lippo contributors on October 18, 1996.
- Copies of the Pressler campaign's FEC report for the January 1 June 30, 1997 report indicating that, with the exception of Felix and Mary Ma, each and every one of the contribution refund checks to Lippo donors had been voided on April 15, 1997. Please note that these voided checks are creatively reported as "negative disbursements," thus disgusing the fact that the transactions actually increase the campaign's available cash balance.

I am not a lawyer, an accountant or a detective. I am just a disabled American veteran who has, for years, watched the Pressler campaign scoff at the letter and spirit of federal election law. Larry Pressler has made a

mockery of the FEC throughout his political career, and, as the enclosed Gannett article suggests, there are many who doubt whether the FEC will do a more thorough job in investigating these serious allegations now that he has been thrown out of office. I am hoping to prove your detractors wrong.

I ask, therefore, that you consider this letter to be not only my complaint, but also a personal appeal to your sense of reason. The information I have presented clearly merits a timely and thorough investigation; it is based upon documentats presently on file in your office. I hope that the Commission will rise above public expectation and will conduct the diligent examination this serious matter deserves.

With appreciation for your efforts,

Roger Andal

Signed and sworn to before me this 15th day of August, 1998 at Sioux Falls, South Dakota.

PEGGI ANDAL
NOTARY PUBLIC SEAL
SOUTH DAKOTA

Notary Public - South Dakota

My Commission expires: 9-24-00

# LEVEL 1 - 2 OF 158 STORIES

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July 31, 1998. FINAL EDITION

SECTION: Pg. ARC

LENGTH: 1017 words

HEADLINE: Pressler paid \$12,000 'storage' fees from campaign funds

BYLINE: LARRY BIVINS; Gannett News Service

DATELINE: WASHINGTON

BODY:

WASHINGTON -- Former Sen. Larry Pressler of South Dakota paid \$ 12,000 last year in "storage" fees from his campaign funds to a company that services the mortgage on rental property he and his wife own.

## GANNETT NEWS SERVICE, July 31, 1998

The fees were paid in three \$ 4,000 checks in April, July and November to Home Servicing of America, the mortgage servicing arm of Home Savings of America based in Irwindale. Calif. The storage payments were sent to a post office box in Falatine, Ill.

In March, 1990, Pressler and his wife, Harriet, secured a 40-year mortgage in the amount of \$ 181,600 to purchase property in the District of Columbia's Capitol Hill neighborhood. The drab beige, three-level brick rowhouse is about a block away from the city's train station and within walking distance of the Capitol.

The property's assessed value is \$ 176,700, but the Presslers have it on the market for \$ 227,000.

Mary Trigg, a spokeswoman for Home Savings of America, confirmed that Home Servicing of America is the lender's loan servicing center. She added that "mortgage payments from the eastern part of the country go to Illinois."

How lawmakers spend their campaign funds has come under increasing scrutiny over the past two decades, as public pressure has sparked calls for campaign finance reform. And while several reforms have GANNETT NEWS SERVICE, July 31, 1998

been implemented -- bans on lobbyist-paid trips and limits on gift amounts, for example -- critics of the system continue to cite areas where the law could be tightened.

Although the Federal Election Commission allows the use of personal property for campaign-related matters, the agency stipulates that payments for such use should not exceed "fair market value."

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FEC regulations prohibit the use of campaign funds for personal obligations, such as mortgage payments.

A check with local storage companies found that 10-by-10 square feet of storage space rents for about \$ 104 a month, or \$ 1,248 a year, roughly a tenth of what Pressler paid in 1997.

Kelly Huff, a spokeswoman for the FEC, said that while as a general rule campaign funds are not supposed to be used for personal expenses, she could not comment on Pressler's specific case.

"The storage payment could be for the campaign," Huff said.
"We don't know that."

### GANNETT NEWS SERVICE, July 31, 1998

Campaign finance monitors said the storage payments appear questionable.

"Home Servicing of America doesn't sound like a storage company." said Larry Makinson, director of the Center for Responsive Politics, a Washington-based watchdog group. "To say that that sounds suspicious is an understatement. I never heard of a mortgage company accepting money for storage."

Ellen Miller, executive director of Public Campaign, an advocacy group for campaign finance reform, said the storage payments seem "a little bit over the top."

Pressler. a Republican who was defeated in 1996 after serving 18 years in the Senate and four years in the House, did not return repeated telephone calls seeking an explanation.

Campaign finance records show that Pressler had \$ 98,915 left over from his re-election campaign at the end of 1996. FEC regulations allow excess funds to be used for campaign-related debts, contributions to local, state or national political party organizations or donations to charity. The rules prohibit the conversion of those funds for personal use.

GANNETT NEWS SERVICE, July 31, 1998

At the end of 1997. Pressler reported a cash balance of \$ 30,439.15. The storage payments were among several items on the former senator's 1997 reports that raised the eyebrows of reform advocates.

Pressler's campaign committee made two "tax payments" totaling \$ 12,490 to the Internal Revenue Service's Philadelphia office. Those payments were in addition to payroll taxes itemized in the reports. In fact, the reports show that the campaign received refunds from the IRS of \$ 270.66 in November 1996, and \$ 123.77 in January 1997.

"I'm not a tax lawyer, but I would imagine that a tax payment would be for income taxes." said Makinson of the Center for Responsive Politics.

In the reporting period just before the November 1996 election,

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Pressler's committee reported returning \$ 7,500 in contributions from individuals affiliated with the Indonesian banking conglomerate known as the Lippo Group. The group was a central figure in the congressional investigations into whether President Clinton and the Democratic National Committee accepted illegal contributions from foreigners in the 1996 presidential race.

GANNETT NEWS SERVICE, July 31, 1998

At the end of 1997, Pressler reported negative disbursements to the same individuals in the form of voided checks. The indication is that the refunds either were never made actually or the checks were never cashed.

"This sounds like some pretty creative bookkeeping to me," Makinson said. "There sure are a lot of questions here. If he was still in Congress this would probably go to the ethics committee."

FEC records show that Pressler continued to reimburse himself and staff for travel long after losing the elections. He spent \$ 10.525 on eight separate trips from December 1996 through June 1997.

Pressler's use of campaign funds has raised questions before. A computer-assisted analysis of campaign spending conducted by Gannett News Service in October 1996 found that Pressler led a list of senators who reimbursed themselves for unexplained travel and other expenses. Pressler paid himself \$ 125,351.33.

Despite the apparent irregular expenditures, the FEC found no reason to question Pressler's report. Spokeswoman Huff said the GANNETT NEWS SERVICE, July 31, 1998

agency has no way of determining that campaign funds have been used for personal expenses.

She said if a complaint were filed the FEC would launch an investigation.

Campaign finance reform advocates said that is typical of an agency that some criticize as being less vigilant than it should be, particularly regarding lawmakers no longer in office.

"The FEC is not exactly known for its eagle eyes on campaign finances," Makinson said. "If there's an investigation. it won't be the FEC that initiates it."

LANGUAGE: ENGLISH

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D. Full Name, Address, Zip  Mrs. Susan Henes-Dequeljoe  711 W. College Street  Los Angeles CA 90012  Receipt for: Primary  E. Full Name, Address, Zip  Mr. Charles L. Dequeljoe	Employer/Cccupation  Housewife  Year-to-Date Total: \$  Employer/Occupation	Date 12/23/93	Receipts Receipts
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D. Full Name, Address, Zip  Mrs. Susan Henes-Dequeljoe  711 W. College Street  Los Angeles CA 90012  Receipt for: Primary  E. Full Name, Address, Zip  Mr. Charles L. Dequeljoe  711 W. College Street	Employer/Cccupation  Housewife  Year-to-Date Total: \$  Employer/Occupation  Lippo Group Exec. Dir.	Date	Receipts Receipts
D. Full Name, Address, Zip  Mrs. Susen Henes-Dequeljoe  711 W. College Street  Los Angeles CA 90012  Receipt for: Primary  E. Full Name, Address, Zip  Mr. Charles L. Dequeljoe  711 W. College Street  Los Angeles CA 90012	Employer/Cccupation  Housewife  Year-to-Date Total: \$  Employer/Occupation  Lippo Group Exec. Dir.  Year-to-Date Total: \$	Date	Receipts Receipts
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Full Name of Committee: Fri	ends of Larry Pressler		. 医克里克氏试验检蛋白质质	
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Hrs. Christina M. Yeh 711 M. College Street Los Angeles CA 90012	Housewife	12/23/93	1000:00	
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P. Full Hame, Address, Zip				
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347 San Leandro Drive Diamond Bar CA 92765	Information Requested Inform. Req.	12/23/93	1000.00	
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요 취 분리 다 다 되는 이 나는 이 나는 이 나를 하는 것이 되는 것이 되었습니다. any info. copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contrib. or for commercial purpose, other than using name a addr. of a political comm. to solicit from the comm. Full Name of Committee: Friends of Larry Pressler Employer/Occupation A. Full Name, Address, Sip Date Receipts ----Mr. Tay K. Tin 12/23/93 2005 Murchison Drive Lippo Bank 500.00 Burlingame CA 94010 Loan Rev. Off. Receipt for: Primary Year-to-Date Total: \$ 500.00 表现在最高级的现在分词 1900年的 190 B. Full Name, Address, Zip Employer/Occupation Data Receipts ---------Mr. Jim Tsai 3601 E. Chevy Chase Drive Hocean Trading Company 12/23/93 Glendale CA 91206 President Porceipt for: Primary Year-to-Date Total: \$ 500.00 C. Pull Memo, Address, Sip Employer/Occupation Date Receipts Mr. Frank Arcat -1517 E. Sunset Drive 12/03/93 250.00 Self-employed Pierro 5D 57501 Attorney Receipt for: Primary Year-to-Date Total: S 250.00 \_D. Poll Mare, Address, Sip Employer/Occupation Date Receipts c Mr. Michael Michols 2100 Temarac Michols Media Consult. 12/10/93 250.00 CSions Falls SD 57103 President

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Full Name of Committee: Friend	s of Larry Pressler COOC	082214	
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Felix Ma 23210 Juniper Avenue Torrance, CA 90505	Contribution Refund		
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Mary L.M. Ma 23210 Juniper Avenue Torrance, CA 90505	Contribution Refund		
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Christina M.K. Yeh	Contribution Refund		
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pavid Yeh 711 W. College St. Los Angeles, CA 90012	Contribution Refund	10/18/96	\$1000.00
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Angus Sétiawan 347 San Lanadro Dr. Diamond Bar, CA 32765	Contribution Refund	10/13/96	\$1000.00
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Tay Kim Tin 2005 Murchison Dr. Burlingame, CA 94010	Contribution Refund	10/13/96	\$500.00
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## ITEMIZED DISBURSEMENTS

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